IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 365 of 2002

For Approval and Signature:

HONOURABLE MR.JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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STATE OF GUJARAT - Petitioner(s)

Versus

DEVJIBHAI LADHABHAI KUHADA - Respondent(s)

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Appearance :

GOVERNMENT PLEADER for Petitioner(s) : 1,
MR PH PATHAK for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 21/11/2005

ORAL JUDGMENT

1. By way of this petition, the petitioner herein has challenged the award dated 08.06.2001 passed by the Labour Court, Junagadh in Reference (LCJ) No. 255/1998

whereby the Labour Court has directed the petitioner to reinstate the respondent with continuity of service and to pay Rs.1000/- by way of costs.

2. The brief facts of the case are that the respondent was working as a driver with the petitioner since 1983 and on 12.06.1986 the petitioner discharged the services of the respondent driver. The respondent, therefore, raised a dispute which was referred to the Labour Court, Rajkot and registered as Ref No.2413/86 which was allowed by the Labour Court in pursuance of which payment has been made. However, the petitioner has again discharged the services of the respondent and ultimately the same culminated into the aforesaid reference and award.

3. It is reported that the respondent workman has expired in the year 2004. Therefore, no useful purpose would be served by proceeding with the matter on merits. Hence, rule discharged with no order as to costs.

(K.S. JHAVERI, J.)

Divya//